

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States District Court
Southern District of Texas
FILED

SEP 28 2016

David J. Bradley, Clerk of Court

United States of America

v.

PASCAL OYEMUIA EHIMARE and JOHN
GBOLAHAN SHOLABOMI

Case No.

H16-1427M

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 09/27/2016 in the county of Ft. Bend in the
Southern District of Texas, the defendant(s) violated:

Code Section

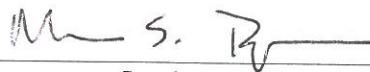
Offense Description

18 USC Sec. 1349

Conspiracy to Commit Wire Fraud

This criminal complaint is based on these facts:

See Attached Affidavit of US Postal Inspector Matthew S. Boyden

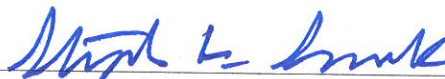
☒ Continued on the attached sheet.

Complainant's signature

US Postal Inspector Matthew S. Boyden

Printed name and title

Sworn to before me and signed in my presence.

Date: September 28, 2016

Judge's signature

City and state: Houston, Texas

Stephen Wm. Smith, US Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

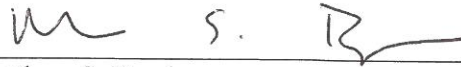
1. Affiant, United States Postal Inspector Matthew S. Boyden, has been employed by the U.S. Postal Inspection Service since January 2000. Affiant is currently assigned to the Major Fraud team in Houston, Texas. Prior to that, Affiant served as a lieutenant of police for a municipal police department in Texas. Affiant has served in the U.S. Air Force as a Law Enforcement Specialist and criminal investigator for the Air Force Office of Special Investigations. Affiant has received specialized training in numerous Postal crimes, but primarily those involving “identity theft” and mail fraud related offenses. Affiant has attended training in the areas of check fraud, credit card fraud, and identity takeover schemes. Affiant has investigated hundreds of cases involving fraud, identity theft, and related “white collar” types of offenses. Affiant is authorized to obtain and execute Federal Arrest and Search Warrants. This Affidavit is made in support of a criminal complaint filed against Nigerian Nationals **PASCAL OYEMUIA EHIMARE and JOHN GBOLAHAN SHOLABOMI**.
2. The information set forth in this Affidavit is based upon your Affiant’s personal knowledge and/or information provided to Affiant by other law enforcement agents and officers, witnesses, bank investigators, and cooperating individuals Affiant believes to be reliable and credible. Because this Affidavit is being submitted for the limited purpose of supporting a criminal complaint, Affiant has not included each and every fact concerning this investigation. Affiant has set forth only the facts believed to establish probable cause that **PASCAL OYEMUIA EHIMARE and JOHN GBOLAHAN SHOLABOMI** have committed violations of federal law.
3. For the past several months, Affiant has been investigating numerous Business E-mail Compromise (BEC) complaints. The FBI defines BEC fraud as a sophisticated scam targeting businesses that regularly perform wire transfer payments. The scam is carried out by compromising legitimate business e-mail accounts through social engineering or computer intrusion techniques to conduct unauthorized transfers of funds. Most victims report using wire transfers as a common method of transferring funds for business purposes; however, some victims report using checks as a common method of payment. The fraudsters will use the method most commonly associated with their victim’s normal business practices. Affiant has identified numerous bank accounts opened with counterfeit passports in and around Houston that are being funded with fraudulent BEC wire transfers. All of these wires involve the use of interstate wire communications facilities.
4. Affiant learned that on or about September 15, 2016, an individual (later identified as **PASCAL ONYEMUIA EHIMARE**) used a counterfeit Ghanaian passport #G0662296 in the name PETER

JOHN to open a bank account at First National Bank Texas located at 6200 Highway 6 S., Missouri City, TX 77459. The address on the account was 12600 Dunlap St. #184, Houston, Texas 77035. The bank took a photograph of the person purporting to be JOHN as well as copied the counterfeit passport. Affiant has confirmed with the State Department the passport is counterfeit.

5. The fraudulent JOHN account was funded with at least three different BEC victim's funds. On or about September 21, 2016, a \$17,112.00 wire was received from the Whiteside Manufacturing Co., Inc. account at the Delaware County Bank. On or about September 26, 2016, a \$22,600.00 wire was received from the Data Doctor account. On or about September 27, 2016, a \$37,177.00 wire was received from the California United Mechanical account at Comerica.
6. On September 22, 2016, Affiant received information from the Texas Department of Public Safety who analyzed the bank surveillance picture of PETER JOHN. Texas DPS was able to identify **PASCAL ONYEMUIA EHIMARE** as the same person using the counterfeit JOHN passport. Affiant obtained **EHIMARE's** photograph from Texas DPS which confirms that **EHIMARE** and JOHN are the same person. On September 26, 2016, Affiant obtained an arrest warrant from Harris County for **EHIMARE** charging him with the felony offense of Tampering with a Government Document.
7. On September 27, 2016, Affiant received a call from First National Bank Texas fraud investigators who stated that "PETER JOHN" was at their branch located at 6200 Highway 6 S., Missouri City, Texas attempting to withdraw funds from the fraudulent account. Affiant contacted Missouri City Police who responded and took **PASCAL ONYEMUIA EHIMARE** into custody. He was in possession of the counterfeit PETER JOHN Ghanaian passport. Affiant responded and took custody of **EHIMARE**.
8. **EHIMARE** was advised of his Miranda rights both orally and in writing. He also provided written consent to a search of his cellular devices. **EHIMARE** admitted obtaining and using the counterfeit passport to open bank accounts and receive fraudulent wires for an accomplice in Nigeria. He also admitted opening additional fraudulent accounts at Bank of America and Chase Bank which he used to receive fraudulent wires. **EHIMARE** was able to show Affiant text messages on his phone discussing the fraudulent scheme with his accomplice in Nigeria.

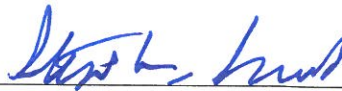
9. **EHIMARE** stated that on at least two prior occasions he withdrew cash from his fraudulent accounts at Bank of America and Chase Bank. He recalled on one occasion withdrawing approximately \$17,000 cash and on another occasion withdrawing around \$23,000 in cash. **EHIMARE** stated that after obtaining the cash he was directed by his accomplice in Nigeria to deliver the cash to "Jason" (later identified as **JOHN GBOLAHAN SHOLABOMI**) in Houston, Texas. **EHIMARE** stated that he met and delivered the cash to **SHOLABOMI** at least two prior times. **EHIMARE** did not know the person's true name.
10. While Affiant was speaking with **EHIMARE** at the bank, the accomplice in Nigeria was texting him asking him about the funds. In my presence **EHIMARE** texted back that he was able to withdraw \$16,000 from the fraudulent account. The accomplice stated that he would have "Jason" meet him to retrieve the cash. **EHIMARE** and "Jason" (**SHOLABOMI**) spoke on the phone discussing their meeting and the amount of cash to be delivered. **SHOLABOMI** told **EHIMARE** to bring the cash to the baseball park in Sugar Land, Texas. The calls were recorded by Affiant.
11. A short time later **EHIMARE** met **SHOLABOMI** in the parking lot of the Sugar Land baseball park located at 2 Stadium Drive, Sugar land, Texas. **SHOLABOMI** was detained and identified. He was advised of his Miranda rights both orally and in writing. He provided Affiant written consent to search his cellular devices. He stated he was helping a friend in Nigeria by meeting people to pick up cash which he used to buy jewelry and other items for his friends. He stated he did not know what his friends were involved in. Affiant reviewed his text messages which showed communication with the accomplice in Nigeria as well as other individuals clearly involved in fraudulent activity. He had text messages containing bank account details and instructions for receiving and sending funds. When he was asked about these messages he would not provide an explanation other than to say he was just a middleman trying to make enough money to eat. Photographs and text messages on **SHOLABOMI's** cell phone also showed bank account deposit confirmation and related messages. He also had photographs on the phone where **SHOLABOMI** is holding large stacks of US currency (sometimes several inches thick). **SHOLABOMI** ultimately quit answering questions and the interview was terminated.

12. Based upon the above, the undersigned believes there is probable cause to believe that **PASCAL OYEMUIA EHIMARE** and **JOHN GBOLAHAN SHOLABOMI** have committed crimes in violation of Title 18, United States Code, Section 1349.



Matthew S. Boyden
United States Postal Inspector

Sworn and Subscribed to me this 28th day of September, 2016, and I find probable cause.



Stephen Wm. Smith
United States Magistrate Judge
Southern District of Texas